

City Council  
Atlanta, Georgia

AN ORDINANCE  
BY: ZONING COMMITTEE

06-0-1794  
Z-05-53  
Date Filed: 6-2-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at the following description:

Parcel referenced as **Northeast Beltline Parcel Five (Freedom Parkway to Decatur Street)**. Property begins at the southerly right of way of Freedom Parkway and encompasses the former Norfolk Southern Railroad tracks and right of way beginning at the former Norfolk Southern Railroad right of way and Freedom Parkway, crossing Highland Avenue, Irwin Street/Lake Avenue, Edgewood Avenue and Airline Street, and concluding at the northerly right of way of Dekalb Avenue.

be changed from the I-1 (Light Industrial) and (I-2) Districts to the MRC-3 (Mixed Residential Commercial) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lots 18, 19 and 20, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

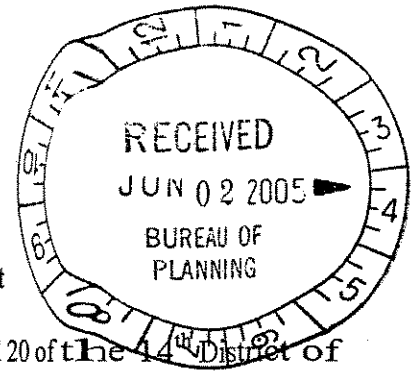
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

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Northeast Beltline Parcel 5

Legal Description  
Norfolk Southern Railroad  
Southern Right of Freedom Parkway to  
Northern Right of Way of Decatur Street

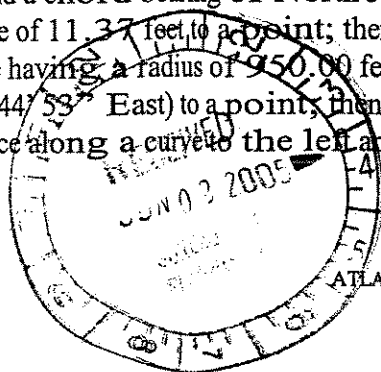


All that tract or parcel of land lying and being in Land Lots 18, 19 and 20 of the 44<sup>th</sup> District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at the intersection of the westerly right of way of Norfolk Southern Railroad and the southerly right of way of Freedom Parkway (Variable R/W); thence along said right of way of Freedom Parkway and running North  $52^{\circ} 26' 27''$  East a distance of 153.16 feet to a point intersecting the easterly right of way of Norfolk Southern Railroad; thence along said right of way of Norfolk Southern Railroad the following courses: along a curve to the right an arc distance of 150.27 feet (said curve having a radius of 1442.28 feet; a chord distance of 150.20 feet and a chord bearing of South  $13^{\circ} 29' 33''$  West) to a point; thence South  $05^{\circ} 21' 29''$  West a distance of 84.85 feet to a point; thence South  $04^{\circ} 16' 21''$  East a distance of 25.06 feet to a point; thence South  $87^{\circ} 17' 49''$  West a distance of 23.49 feet to a point; thence along a curve to the right an arc distance of 290.53 feet (said curve having a radius of 1719.22 feet; a chord distance of 290.19 feet and a chord bearing of South  $25^{\circ} 54' 31''$  West) to a point; thence along a curve to the right an arc distance of 333.34 feet (said curve having a radius of 2087.79 feet; a chord distance of 332.99 feet and a chord bearing of South  $35^{\circ} 46' 19''$  West) to a point; thence South  $03^{\circ} 25' 09''$  East a distance of 91.98 feet to a point intersecting the northerly right of way of Highland Avenue; thence South  $86^{\circ} 14' 36''$  West a distance of 94.43 feet to a point; thence continuing along said right of way of Norfolk Southern Railroad and running South  $46^{\circ} 52' 47''$  West a distance of 112.06 feet to a point intersecting the southerly right of way of Highland Avenue; thence continuing along said right of way of Norfolk Southern Railroad and running the following courses: South  $51^{\circ} 09' 13''$  West a distance of 275.67 feet to a point; thence along a curve to the left an arc distance of 1402.66 feet (said curve having a radius of 1875.86 feet; a chord distance of 1370.21 feet and a chord bearing of South  $29^{\circ} 36' 00''$  West) to a point intersecting the northerly right of way of Lake Avenue; thence continuing along said right of way of Norfolk Southern Railroad and running South  $07^{\circ} 06' 24''$  West a distance of 50.51 feet to a point intersecting the southerly right of way of Lake Avenue; thence continuing along said right of way of Norfolk Southern Railroad the following courses: South  $06^{\circ} 21' 04''$  West a distance of 800.00 feet to a point; thence South  $00^{\circ} 25' 33''$  West a distance of 200.68 feet to a point; thence South  $01^{\circ} 21' 20''$  East a distance of 124.11 feet to a point intersecting the northerly right of way of Edgewood Avenue; thence continuing along said right of way of Norfolk Southern Railroad and running South  $42^{\circ} 26' 06''$  West a distance of 107.36 feet to a point intersecting the southerly right of way of Edgewood; thence continuing along said right of way of Norfolk Southern Railroad the following courses: along a curve to the right an arc distance of 402.12 feet (said curve having a radius of 1033.19 feet; a chord distance of 399.58 feet and a chord bearing of South  $24^{\circ} 56' 24''$  West) to a point intersecting the easterly right of way of Airline Street; thence continuing along said right of way of Norfolk Southern Railroad and running South  $34^{\circ} 10' 04''$  West a distance of 53.15 feet to a point intersecting the westerly right of way of Airline Street; thence continuing along said right of way of Norfolk Southern

Railroad the following courses: along a curve to the right an arc distance of 133.88 feet (said curve having a radius of 1462.41 feet; a chord distance of 133.83 feet and a chord bearing of South  $41^{\circ} 41' 44''$  West) to a point intersecting the northerly right of way of DeKalb Avenue; thence along said right of way of DeKalb Avenue and running South  $68^{\circ} 22' 01''$  West a distance of 106.29 feet to a point intersecting the westerly right of way of said Norfolk Southern Railroad; thence along said right of the way the following courses: along a curve to the left an arc distance of 256.44 feet (said curve having a radius of 1422.41 feet; a chord distance of 256.10 feet and a chord bearing of North  $43^{\circ} 03' 59''$  East) to a point on the western right of way of Airline Street (40' R/W); thence along the westerly right of way of said Norfolk Southern Railroad North  $27^{\circ} 39' 17''$  East a distance of 57.77 feet to a point on the easterly right of way of Airline Street; thence continuing along the western right of way of Norfolk Southern Railroad along a curve to the left an arc distance of 335.86 feet (said curve having a radius of 986.41 feet a chord distance of 334.24 feet and a chord bearing of North  $25^{\circ} 18' 01''$  East) to a point intersecting the southerly right of way of Edgewood Avenue; thence North  $00^{\circ} 15' 41''$  West a distance of 62.81 feet to a point intersecting the northerly right of way of Edgewood Avenue; thence continuing along said right of way of Norfolk Southern Railroad the following courses: along a curve to the left an arc distance of 118.02 feet (said curve having a radius of 1112.28 feet; a chord distance of 117.96 feet and a chord bearing of North  $09^{\circ} 21' 46''$  East) to a point; thence North  $06^{\circ} 21' 04''$  East a distance of 1029.93 feet to a point intersecting the southerly right of way of Irwin Street; thence continuing along said right of way of Norfolk southern Railroad and running North  $06^{\circ} 29' 36''$  East a distance of 50.44 feet to a point intersecting the northerly right of way of Irwin Street; thence continuing along said right of way of Norfolk Southern Railroad the following courses: along a curve to the right an arc distance of 719.07 feet (said curve having a radius of 1943.86 feet; a chord distance of 714.98 feet and a chord bearing of North  $18^{\circ} 27' 04''$  East) to a point; thence South  $88^{\circ} 22' 57''$  West a distance of 77.31 feet to a point; thence along a curve to the right an arc distance of 168.93 feet (said curve having a radius of 1884.02 feet; a chord distance of 168.88 feet and a chord bearing of North  $30^{\circ} 05' 12''$  East) to a point; thence along a curve to the right an arc distance of 184.76 feet (said curve having a radius of 1884.02 feet; a chord distance of 184.68 feet and a chord bearing of North  $35^{\circ} 27' 53''$  East) to a point; thence South  $01^{\circ} 07' 52''$  East a distance of 56.55 feet to a point; thence South  $07^{\circ} 55' 15''$  West a distance of 88.38 feet to a point; thence South  $43^{\circ} 53' 55''$  West a distance of 61.52 feet to a point; thence South  $57^{\circ} 21' 09''$  East a distance of 2.12 feet to a point; thence along a curve to the right an arc distance of 623.36 feet (said curve having a radius of 1943.86 feet; a chord distance of 620.69 feet and a chord bearing of North  $41^{\circ} 50' 04''$  East) to a point; thence North  $51^{\circ} 09' 13''$  East a distance of 180.91 feet to a point intersecting the southerly right of way of Highland Avenue; thence continuing along said right of way of Norfolk Southern Railroad and running North  $47^{\circ} 54' 31''$  East a distance of 114.54 feet to a point on the northerly right of way of Highland Avenue; thence continuing along said right of way of Norfolk Southern Railroad the following courses: along a curve to the left an arc distance of 275.60 feet (said curve having a radius of 2168.48 feet; a chord distance of 275.42 feet and a chord bearing of North  $45^{\circ} 22' 49''$  East) to a point; thence along a curve to the left an arc distance of 256.36 feet (said curve having a radius of 764.38 feet; a chord distance of 255.16 feet and a chord bearing of North  $33^{\circ} 28' 41''$  East) to a point; thence North  $69^{\circ} 10' 57''$  West a distance of 11.37 feet to a point; thence along a curve to the left an arc distance of 245.21 feet (said curve having a radius of 950.00 feet; a chord distance of 244.53 feet and a chord bearing of North  $25^{\circ} 44' 53''$  East) to a point; thence South  $89^{\circ} 15' 34''$  West a distance of 22.20 feet to a point; thence along a curve to the left an arc

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distance of 177.91 feet (said curve having a radius of 1432.50 feet; a chord distance of 177.80 feet and a chord bearing of North 18° 32' 13" East) to the POINT OF BEGINNING. Said tract containing 7.687 acres.

